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PART IV

Section I-C.

RULES, ORDERS AND NOTIFICATIONS UNDER CENTRAL ACTS AND ORDINANCES.

NOTIFICATION.

No. S.R. 6215—Regis., dated Bangalore, 12th December 1951.

exercise of the powers conferred by Section 78 of the Indian Registration Act, 1908 (Central Act XVI of 1908) and in supersession of Notification No. S.R. 8058—Regis. 27-50-2, dated 31st March 1951, His Highness the Maharaja of Mysore is pleased to direct that the table of Registration Fees be revised, as in the Schedule appended, with effect from 1st January 1952.

By Order of His Highness the Maharaja,

T. RANGAMALLIAH,
Secretary to Government,
Revenue Department.

SCHEDULE

Table of Registration Fees under section 78 of the Indian Registration Act, 1908.

The registration fees payable to the several offices of registration in Mysore shall be as follows :—

I. (*a*) For registration of documents in Books 1 and 4—

	Rs.	a.	p.
(1) When the value does not exceed Rs. 10.	0	5	0
(2) When the value exceeds Rs. 10 but does not exceed Rs. 25	0	7	0
(3) When the value exceeds Rs. 25 but does not exceed Rs. 50	0	9	0
(4) When the value exceeds Rs. 50 but does not exceed Rs. 75	0	14	0
(5) When the value exceeds Rs. 75 but does not exceed Rs. 100	1	2	0
(6) When the value exceeds Rs. 100 but does not exceed Rs. 150	1	11	0
(7) When the value exceeds Rs. 150 but does not exceed Rs. 200	2	4	0
(8) When the value exceeds Rs. 200 but does not exceed Rs. 250	2	13	0
(9) When the value exceeds Rs. 250 but does not exceed Rs. 300	3	6	0
(10) When the value exceeds Rs. 300 but does not exceed Rs. 500	3	15	0
(11) When the value exceeds Rs. 500 but does not exceed Rs. 750	4	8	0
(12) When the value exceeds Rs. 750 but does not exceed Rs. 1,000	5	10	0
(13) When the value exceeds Rs. 1,000 but does not exceed Rs. 2,500— For the first thousand as under sub-clause (12) and for every 500 or part thereof in excess of Rs. 1,000....	1	2	0
(14) When the value exceeds Rs. 2,500 but does not exceed Rs. 5,000— For the first 2,500 as under sub-clause (13) and for every 500 or part thereof in excess of Rs. 2,500.	1	11	0

	Rs.	a.	p.
(15) When the value exceeds Rs. 5,000— but does not exceed Rs. 25,000— For the first 5,000 as under sub-clause (14) and for every 1,000 or part thereof in excess of Rs. 5,000.	2	4	0
(16) When the value exceeds Rs. 25,000 but does not exceed Rs. 50,000— For the first 25,000 as under sub-clause (15), and for every 1,000 or part thereof in excess of Rs. 25,000.	2	13	0
(17) When the value exceeds Rs. 50,000— For the first 50,000 as under sub-clause (16), and for every 1,000 or part thereof in excess of Rs. 50,000.	3	6	0

(*b*) The consideration expressed in a document is generally taken to be its value for determining the registration fee. Where no consideration is expressed, the value of the property dealt with as shown in the document is taken,

(*c*) The provisions of sections 5, 6, 20, 21, 23 and 25 of the Mysore Stamp Act, 1900 (II of 1900) shall apply *mutatis mutandis* to calculations of value for the purpose of determining the registration fee.

(*d*) In the case of leases the value is taken—

(1) at the total rent for the whole term when the lease is for periods not exceeding one year;

(2) at the average annual rent when the lease is for periods exceeding one year;

(3) at one-fifth of the whole amount of rents payable for the first fifty years when the lease is perpetual.

In all cases where a fine or premium is paid or is made payable or money is advanced, that amount is also added to the value. When a lessee undertakes to pay assessment, quit-rent, etc., in addition to the rent, the said payment also is added to the rental value. If the rent is payable in kind and its money value is not specified in the lease, its value is taken to be the highest amount which the stamp borne by the document shall suffice to cover; but if the lease bears no stamp or is exempt from stamp duty, the money value of the produce is calculated at the current market rates.

Where in agricultural leases for one year or less the rent is not fixed either in kind or in cash and the lease deed is unstamped, its value for purposes of registration is taken to be five times the assessment on the land the rent of which is secured by the instrument, when the survey assessment is specified in the lease.

(*e*) In the case of deeds of partition, the value of the separated share or shares on which the stamp duty is payable is taken as the value or consideration.

(*f*) In the case of all other documents in which neither the consideration for the transaction nor the value of the property affected is expressed, or in which it is only partially expressed the value shall be the maximum amount which the stamp borne by the document is sufficient to cover, if the document is one which is liable to stamp duty at *ad valorem* rates. If the value cannot be determined from the stamp, as, for instance when the deed is not liable to stamp duty, or is liable to duty at a fixed amount irrespective of the value of the transaction, or when the transaction is not susceptible of money valuation, the fee leviable shall be Rs. 6-12-0, provided that in cases where value of only a portion of the property or consideration is given and that value exceeds Rs. 1,500 the fee shall be levied on the value so expressed.

Note.—In the case of documents evidencing petty transactions incapable of valuation the Inspector-General of Registration may, if he considers that the levy of a fee of Rs. 6-12-0 would be productive of hardship, authorise Registering Officers to levy a lower fee, which shall not in any case be less than five annas.

(*g*) For registration of a document purporting to give collateral or auxiliary or additional or substituted security or security by way of further assurance, where the principal or primary mortgage is duly registered :—

Same fee as for the principal or primary mortgage.

(*h*) For document acknowledging receipt or payment of consideration on account of any previously registered document or for any receipt acknowledging payment of a debt or rent due under a previously registered document :—

Ad valorem fee as per Article I(a), subject to a maximum of Rs. 2-4-0.

(*i*) For a duplicate or counterpart of a document if registered at the same time as the original, Re. 0-5-0 per 100 words or part thereof, provided that if the fee to be recovered at the rate of Re. 0-5-0 per 100 words is higher than the ordinary fee for registration, the ordinary fee shall be charged.

(*j*) Certified copies of decrees, orders of courts and awards—

Ad valorem fee as per Article I (*a*).

(*k*) For Registration of an Adoption deed :—

(Whether or not the deed refers to immovable property to which the adoptee becomes entitled).	Rs. 11-4-0.

II. For registration of Wills and Authorities to adopt—

(*a*) Opening a sealed cover and entering the contents in Book 3.

Rs. 2-4-0 *plus* copying fee at the prescribed rate.

(*b*) Will or Authority to adopt presented open :—

Rs. 11-4-0 : Provided that in the case of Wills in which the value of the property dealt with is mentioned and that value does not exceed Rs. 3,000 the registration fee shall be as per *ad valorem* scale in Article I (*a*).

III. Sealed Covers (Book 5.)—

(*a*) For deposit and entry in Book 5 of a sealed cover purporting to contain a Will	....	Rs. 3	6 0
(*b*) Withdrawal of any such cover	....	Rs. 3	6 0

IV. The registration fee for a deed of cancellation or revocation shall be that liable on the original document cancelled or revoked, subject to a maximum of Rs. 5-10-0.

V. Registration by a Registrar in cases other than those in which a document is registered by a District Registrar in consequence of the Sub-Registrar being a party interested in the transaction to which such a document relates—

Extra fee of Rs. 5 when registered under section 30 (1) by any District Registrar and Rs. 10 when registered

by any District Registrar under section 30 (2) : Provided that no extra fee shall be levied when the English document is registered by a Registrar solely in consequence of the language in which it is written being unknown to the Sub-Registrar by whom it is properly registrable : Provided also that no extra fee shall be levied for the registration of a counterpart or a duplicate of a document in respect of which extra fee has been paid as above, and such counterpart or duplicate is presented for registration on the same day as the original document, when the original is also registered.

VI. (*a*) (1) Memorandum under sections 64, 65, 66 and 67 .... Rs. 1 2 0

(2) For each additional copy required for 100 words or part thereof .... Re. 0 5 0

(*b*) When a copy of instrument has to be sent to the Registrar of another district such copy should be charged for at the rate of Re. 0-5-0 per 100 words and additional fee of one rupee and two annas for each memorandum issuable under Section 66, must be levied and remitted to the Registrar.

VII. (*a*) (i) Search for or inspection of a single entry or document—

For the first year in the books of which search is made for each entry or document .... Rs. 1 2 0

For every other year in the books of which search is continued for each entry or document .... Re. 0 5 0

(ii) General search for an inspection of any number of entries or documents relating to one and the same property or executed by or in favour of one and the same individual.—

For the first year in the books of which search is made .... Rs. 2 4 0

For every other year in the books of which search is continued .... Re. 0 9 0

Note.—(1) The rates mentioned above are subject to a maximum of Rs. 5-10-0 and Rs. 11-4-0 in the cases of single and general searches, respectively.

(2) Every application for the continuance of a search made after one week from the date of completion of that search will

be treated as fresh application and the higher fees of Rs. 1-2-0 or Rs. 2-4-0 respectively, will be charged for the first year in the books of which the search is desired to be continued.

(3) Every application for the grant of a certified copy unless made at the time of registration of a document shall be considered as an application for search and charged accordingly, provided that no fee for search shall be charged in respect of a document of which a copy is applied for when the names of claiming and executing parties, the nature of the document and the date of registration are specified in the application for the copy.

(4) The Inspector-General of Registration may, in his discretion, remit in part the fee leviable under this article when it appears to him that the levy of the full fee would result in hardship.

VIII. (1) (*a*) Granting certified copies or extracts from registers, indexes or any documents (Sections 57 and 76) per 100 words or portion of 100 words.—

Re. 0-4-0 whether in English or Kannada.

(*b*) Granting of copy of map or plan.—

Re. 0-9-0, provided that the arrangements for and the cost of making such copies are made and borne by the person who applies for it.

(*c*) Granting copies of documents other than those mentioned above :—

At the rates prescribed in the rules issued by the High Court of Mysore for the grant of copies in Civil Courts.

Note.—(1) Every figure, initial or abbreviation shall count as a word for the purpose of calculating the number of words.

(2) Officers of the Government of India or of any State Government who may require to search the registers or to take copies of entries for *bona fide* public purposes shall be permitted to do so without payment of any fee.

(3) Copies of documents in languages other than in English or Kannada shall be charged at one anna per 100 words instead of 3 annas, if a clerk knowing that language is employed in the Registration Office granting the copy. Also when a copy is printed at the expense of applicant or when the applicant presents a printed copy of a document already registered and applies for a certified copy of the same, only the portion added in manuscript in the certified copy shall be charged for at the ordinary rates of copying, and, in addition, a fixed fee of two annas shall be levied for comparing and certifying each copy.

(4) No charges shall be made for granting copies of reasons for refusal given by a Sub-Registrar.

IX. Powers of Attorney.—

	Rs. a. p.
(1) Registering a Power of Attorney ...	5 10 0
(2) Attesting a Special Power of Attorney ...	1 2 0
(3) Attesting a General Power of Attorney ...	2 4 0

Note.—(1) A single fee shall be levied for the attestation of a Power-of-Attorney whatever may be the number of signatories to it provided that all of them appear simultaneously for examination or execution. Where they do not so appear, a separate fee shall be levied for each set of persons appearing at the same time.

(2) The duplicate or the triplicate of a Power-of-Attorney presented for authentication shall be treated as a separate power and a separate attestation fee shall be levied for it.

X. For filing translation .... Extra fee Rs. 1-2-0.

Note.—Filing copies of the orders, certificates and instruments referred to in Section 89 ... ... No Fee.

XI. (1) Issue of commission or attendance at a private residence or Jail.

(*a*) For registration of one or more documents executed by one and the same individual, or (*b*) For the acceptance of registration of one or more documents executed in favour of one and the same individual or for the acceptance for deposit of a Will executed by an individual, or (*c*) For the attestation of one or more Power-of-Attorney executed by one and the same individual. (*d*) For the examination of one and the same individual under Section 33 or 38.	Rs. 11 4 0. Besides ordinary fee and travelling allowance.

(2) For the services of a woman if required, extra fee as remuneration to her Rs. 5-10-0.

Note.—(1) Where two or more persons who are parties to the same document and who are entitled to exemption from attending the Registration Office reside together, or when two or more persons